



accompanying "mark-up version").

1. An isolated nucleic acid molecule comprising a nucleotide sequence consisting of SEQ ID NO. ³ wherein the sequence encodes a functional NRIF3 nuclear hormone receptor co-activator ^{polypeptide} wherein the NRIF3 binds in a ligand dependent manner to thyroid hormone receptor (TR) and retinoid X receptor (RXR), but does not interact with retinoic acid receptor (RAR), vitamin D receptor (VDR), progesterone receptor (PR), glucocorticoid receptor (GR), and estrogen receptor (ER) in a yeast two hybrid assay system or *in vitro*, or both, which polypeptide contains an LxxIL (SEQ ID NO:2) module in its C-terminal domain.

✓ Please cancel claim 10 without prejudice or disclaimer.

REMARKS

Reconsideration of this application is respectfully requested.

Entry of this amendment is respectfully requested as applicants submit that it will put the claims in a condition for allowance or in a better form for subsequent appeal.

In the Office Action, claims 2-9 were said to be in a condition for allowance, claim 1 was rejected under 35 U.S.C. §112, second paragraph as being indefinite and claim 10 was rejected under 35 U.S.C. §112, first paragraph. By the present amendment claim 1 has been amended and claim 10 has been cancelled without prejudice or disclaimer. Claims 1-10 are pending in this application and are at issue.

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